

REMARKS/ARGUMENTS

The present Amendment is in response to the Official Action dated January 20, 2010 ("the Action"). Claim 81 has been amended and claim 83 has been canceled herein. Claims 1-70 and 84 have been previously canceled. No claims have been added herein. Therefore, claims 71-82 and 85-106 remain pending in the present case. The following sets forth Applicants' remarks pertaining to those currently pending claims and the Action.

In the Action, the Examiner rejected claims 81, 85-89, 91, and 95-97 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,110,172 to Jackson ("Jackson"), and claims 82, 92-94, and 98-100 under 35 U.S.C. 103(a) as being unpatentable over Jackson in view of U.S. Patent No. 5,360,431 to Puno ("Puno"). However, the Examiner also indicated previously presented claim 83 as constituting allowable subject matter, as Jackson fails to teach a two-part locking cap. In fact, the Examiner indicated that should the limitations of that previously presented dependent claim be incorporated into previously presented claim 81, such would render all of claims 81-83, 85-100, and 104-106 allowable. Applicants respectfully thank the Examiner for these indications. By way of the present amendment, independent claim 81 has indeed been amended to incorporate all of the subject matter of previously presented dependent claim 83, with the latter claim having been canceled. Applicants still remain of the opinion that previously presented independent claim 81 is allowable, and reserve the right to pursue such a claim at a later date.

Further in the Action, the Examiner also rejected each of the previously presented claims on the ground of nonstatutory obviousness-type double patenting as being unpatentable over U.S.

Patent No. 6,565,565 ("the '565 Patent"). Although Applicants do not necessarily agree with the Examiner's assertions, given the common ownership of the present application and the '565 Patent, Applicants have attached herewith a Terminal Disclaimer listing the '565 Patent. As such, Applicants respectfully request withdrawal of the obviousness-type double patenting rejections.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
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